

COPY

DECLARATION AND POWER OF ATTORNEY FOR UTILITY OR DESIGN PATENT APPLICATION <input type="checkbox"/> Declaration <input checked="" type="checkbox"/> Declaration Submitted with Submitted after Initial Initial Filing Filing (surcharge 37 CFR 1.16(e) required)	Attorney Docket No.	ASX-063
	First Named Inventor	Tracy
	COMPLETE IF KNOWN	
	Application Serial Number	10/642,505
	Filing Date	August 18, 2003
	Group Art Unit	1753
Examiner Name	Not yet assigned	

As a below named inventor, I hereby declare that:
My residence, mailing address, and citizenship are as stated below next to my name.
I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

CONTROL SYSTEM FOR A SPUTTERING SYSTEM

(Title of the Invention)

the specification of which
☐ is attached hereto
OR
☒ was filed on August 18, 2003 as United States Application Serial Number or PCT International
(MM/DD/YYYY)

Application Number 10/642,505 and was amended on (MM/DD/YYYY) (if applicable).

I hereby state that I have reviewed and understand the contents of the above-identified application, including the claims, as amended by any amendment specifically referred to above.

I acknowledge the duty to disclose to the Patent Office all information known by me to be material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information known by me which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or (f), or 365(b) of any foreign application(s) for patent, or inventor's certificate(s), or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent, or inventor's certificate(s), or of any PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application Number(s)	Country	Foreign Filing Date (MM/DD/YYYY)	Priority Not Claimed	Certified Copy Attached?	
				YES	NO
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

☐ Additional foreign application numbers are listed on a supplemental priority data sheet attached hereto.

I hereby claim the benefit under 35 U.S.C. 119(e) of any United States provisional application(s) listed below.

Application Serial Number(s)	Filing Date (MM/DD/YYYY)

☐ Additional provisional application serial numbers are listed on a supplemental priority data sheet attached hereto.

Declaration and Power of Attorney for Utility or Design Patent Application

Serial No. 10/642,505

Atty. Docket No. ASX-063

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DECLARATION – Utility or Design Patent Application

I hereby claim the benefit under 35 U.S.C. 120 of any United States application(s), or 365(c), of any PCT international application designating the United States of America, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of 35 U.S.C. 112, I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application.

U.S. Parent Application or PCT Parent Serial Number	Parent Filing Date (MM/DD/YYYY)	Parent Patent Number (if applicable)

☐ Additional U.S. or PCT international application numbers are listed on a supplemental priority data sheet attached hereto.

As a named inventor, I hereby appoint the following registered practitioners to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith: ☐ Customer Number

OR

☒ Registered practitioner(s) name/registration number listed below

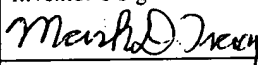
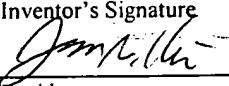
Place Customer
Number Bar Code
Label Here

	Registration Number	Name	Registration Number
Andrew F. Abramson	52,538	William R. Haulbrook	53,002
Steven M. Bauer	31,481	Ira V. Heffan	41,059
Mark L. Beloborodov	50,773	Douglas J. Kline	35,574
John V. Bianco	36,748	William A. Meunier	41,193
Robert S. Blasi	50,389	Thomas C. Meyers	36,989
Michael H. Brodowski	41,640	Jennifer G. Moitoso	51,752
Jennifer A. Camacho	43,526	Ronda P. Moore	44,244
Joseph A. Capraro, Jr.	36,471	Jeremy P. Occek	50,794
Fangli Chen	51,551	Jamie H. Rose	45,054
Christopher H. Chung	50,351	Christopher W. Stamos	35,370
John J. Cotter	38,116	Diana M. Steel	43,153
Robert V. Donahoe	46,667	Robert J. Tosti	35,393
Brian A. Fairchild	48,645	Thomas A. Turano	35,722
James E. Fajkowski	54,089	Natasha C. Us	44,381
Jason P. Fiorillo	52,892	Christine C. Vito	39,061
John V. Forcier	42,545	Daniel A. Wilson	45,508
Steven J. Frank	33,497	Gerald E. Worth	45,238
Kia L. Freeman	47,577	Yin P. Zhang	44,372
Brian M. Gaff	44,691	Stephanie M. Zierten	52,397
Edward A. Gordon	P-54,130		
Duncan A. Greenhalgh	38,678		
<input type="checkbox"/> Additional registered practitioners named on supplemental Registered Practitioner Information sheet attached hereto.			

Direct all correspondence to:

Patent Administrator
Testa, Hurwitz & Thibault, LLP
High Street Tower
125 High Street
Boston, MA 02110
Tel. No.: (617) 248-7000
Fax No.: (617) 248-7100

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Name of Sole or First Inventor:		<input type="checkbox"/> A petition has been filed for this unsigned inventor							
Given Name (first and middle [if any])					Family Name or Surname				
Mark D.					Tracy				
Inventor's Signature							Date		
							2/11/04		
Residence	City	Rochester	State	NY	Country	USA	Citizenship	US	
Mailing Address		96 Thomas Avenue							
Mailing Address (ln. 2)	City	Rochester	State	NY	ZIP	14617	Country	USA	
<input type="checkbox"/> Additional inventors are being named on the supplemental Additional Inventor(s) sheet(s) attached hereto.									
Name of Additional Joint Inventor, if any:		<input type="checkbox"/> A petition has been filed for this unsigned inventor							
Given Name (first and middle [if any])					Family Name or Surname				
Jesse N.					Klein				
Inventor's Signature							Date		
							2-11-2004		
Residence	City	West Henrietta	State	NY	Country	USA	Citizenship	US	
Mailing Address		156 Covered Wagon Trail							
Mailing Address (ln. 2)	City	West Henrietta	State	NY	ZIP	14586	Country	USA	
Name of Additional Joint Inventor, if any:		<input type="checkbox"/> A petition has been filed for this unsigned inventor							
Given Name (first and middle [if any])					Family Name or Surname				
Inventor's Signature							Date		
Residence	City		State		Country		Citizenship		
Mailing Address									
Mailing Address (ln. 2)	City		State		ZIP		Country		

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



**REVOCATION OF POWER OF
ATTORNEY WITH
NEW POWER OF ATTORNEY
AND
CHANGE OF CORRESPONDENCE ADDRESS**

As assignee of record of the entire interest of the patent applications and/or patents identified in Appendix A, all powers of attorney previously given are hereby revoked, and the following attorneys and/or agents are hereby appointed to prosecute and transact all business in the U.S. Patent and Trademark Office connected therewith.

Joseph A. Capraro, Jr.	Reg. No.: 36,471	John C. Stellabotte	Reg. No.: 47,969
Steven M. Bauer	Reg. No.: 31,481	Mark A. Catan	Reg. No.: 38,720
Jennifer A. Camacho	Reg. No.: 43,526	Alan Federbush	Reg. No.: 37,619
Gerald E. Worth	Reg. No.: 45,238	Nolan Goldberg	Reg. No.: 54,126
Christopher H. Chung	Reg. No.: 50,351	Louis Greco	Reg. No.: 41,799
David J. Cerveny	Reg. No.: 44,600	Tzvi Hirshaut	Reg. No.: 38,732
Jeremy P. Ozcek	Reg. No.: 50,794	Sergey Kolmykov	Reg. No.: 47,713
Kenneth Rubenstein	Reg. No.: 30,586	Tiffany A. Levato	Reg. No.: 50,160
Charles Guttman	Reg. No.: 29,161	Robert S. Mayer	Reg. No.: 38,544
James H. Shalek	Reg. No.: 29,749	Silvana M. Merlino	Reg. No.: 44,237
Anthony C. Coles	Reg. No.: 34,139	Baldassare Vinti	Reg. No.: 43,970
Evan L. Kahn	Reg. No.: 35,912	Silvia Salvadori	Reg. No.: 48,265
Kristen H. Neuman	Reg. No.: 35,530	Alexander Migirov	Reg. No.: 53,326

Assignee also hereby grants additional Power of Attorney to the attorneys and/or agents named above to file and prosecute foreign national patent applications in any and all countries of the world, regional patent applications under the European Patent Convention and/or international applications under the Patent Cooperation Treaty based upon the patent applications identified in Appendix A, including a power to meet all designated office requirements for designated states.

All future correspondence should be sent to :

Proskauer Rose LLP
One International Place, 14th Floor
Boston, MA 02110-2600.

Please assign PTO Customer Number 42532 to all of the patents applications identified in Appendix A.

The assignee of record of the entire interest of the patent applications and/or patents identified in Appendix A is ENI Technology, Inc., organized and existing under the laws of the state of Delaware, having a usual place of business at 100 Highpower Road, Rochester, NY 14623.

SIGNATURE of Assignee of Record

Name	Robert Klimm
Title	Vice-President, General Manager
Signature	
Date	3/26/04

APPENDIX A

<i>Atty Docket No.</i>	<i>Serial No.</i>	<i>Filing Date</i>	<i>Recordation Information</i>
ASX-063	10/642,505	08/18/2003	Recorded herewith (copy enclosed).
ASX-064	10/642,509	08/18/2003	Recorded herewith (copy enclosed).

ASSIGNMENT

WHEREAS, We, Mark D. Tracy and Jesse N. Klein, have invented one or more inventions described in an application (or provisional application) for Letters Patent of the United States entitled:

CONTROL SYSTEM FOR A SPUTTERING SYSTEM

and identified by

☐ Attorney Docket No. _____, and/or executed by us on even date herewith and about to be filed in the United States Patent Office;

☒ Serial No. 10/642,505 filed in the United States Patent Office on August 18, 2003; and

WHEREAS, ENI Technology, Inc. (hereinafter "ASSIGNEE"), a corporation organized and existing under the laws of the State of Delaware, and having a usual place of business at 100 Highpower Road, Rochester, NY 14623, desires to acquire an interest therein, in accordance with agreements duly entered into with us;

NOW, THEREFORE, to all whom it may concern be it known that for and in consideration of said agreements and of other good and valuable consideration, the receipt of which is hereby acknowledged, we have sold, assigned and transferred and by these presents do hereby sell, assign and transfer unto said ASSIGNEE, its successors, assigns, and legal representatives, our entire right, title and interest in and throughout the United States of America, its territories and all foreign countries, in and to the invention(s) described in said application, together with our entire right, title and interest in and to said application and such Letters Patent as may issue thereon or claim priority under United States law or international convention, including but not limited to non-provisionals, continuations, divisionals, reissues, reexaminations, extensions, and substitutions of said application or such Letters Patent, and any right, title and interest we may have in provisional applications to which said application claims priority; said invention(s), applications and Letters Patent to be held and enjoyed by said ASSIGNEE for its own use and behalf and for its successors, assigns and legal representatives, to the full end of the term for which said Letters Patent may be granted as fully and entirely as the same would have been held by us had this assignment and sale not been made; we hereby convey all of our rights arising under or pursuant to any and all United States laws and international agreements, treaties or laws relating to the protection of industrial property by filing any such applications for Letters Patent, including but not limited to any cause(s) of action and damages accruing prior to this assignment. We hereby acknowledge that this assignment, being of our entire right, title and interest in and to said invention(s), carries with it the right in ASSIGNEE to apply for and obtain from competent authorities in all countries of the world any and all Letters Patent by attorneys and agents of ASSIGNEE's selection and the right to procure the grant of all Letters Patent to ASSIGNEE in its own name as assignee of our entire right, title and interest therein;

AND, we hereby further agree for ourselves and our executors and administrators to execute upon request any other lawful documents and likewise to perform any other lawful acts which may be deemed necessary to secure fully the aforesaid invention(s) to said ASSIGNEE, its successors, assigns, and legal representatives, but at its or their expense and charges, including the execution of non-provisional, substitution, continuation, divisional, reissue, reexamination, or corresponding foreign or international patent applications;

AND, we hereby further agree to provide statements or testimony in any interference or other proceeding in which said invention(s) or any application or patent directed thereto may be involved;

AND, we hereby authorize ASSIGNEE or its attorneys or agents to insert the correct serial number and filing date into this assignment, if none is indicated on the date of our execution of this assignment;

AND, we hereby authorize and request the Director of the United States Patent and Trademark Office to issue such Letters Patent as shall be granted upon said application, or applications based thereon, to said ASSIGNEE, its successors, assigns, or legal representatives.

IN TESTIMONY WHEREOF, we have hereunto set our hands and affixed our seals on the date(s) set forth below:

Inventor:

Mark D. Tracy
Mark D. Tracy

State of

NEW YORK

County of

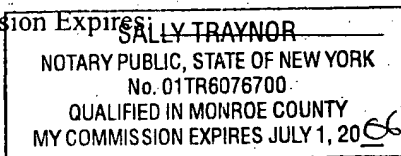
MONROE

) ss

Subscribed and sworn to before me, by the above-named Mark D. Tracy this 11 day of Feb, 2004.

Sally Traynor (Notary)
Notary Public

My Commission Expires:



Inventor:

Jesse N. Klein
Jesse N. Klein

State of

NEW YORK

County of

MONROE

) ss

Subscribed and sworn to before me, by the above-named Jesse N. Klein this 11 day of Feb, 2004.

Sally Traynor (Notary)
Notary Public

My Commission Expires: _____

